

REMARKS

Claims 1 – 20 are now pending in the application. The amendments to the claims made herein are intended to more particularly point out and distinctly claim the subject matter regarded as the invention and thus are not narrowing amendments. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

REJECTION UNDER 35 U.S.C. § 103

Claims 1 – 20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Brotherston (WO 00/63806) in view of Arazi et al. (2001/0041594). This rejection is respectfully traversed.

The Examiner states that the “Applicant fails to consider the teaching of Brotherston’s reference for verifying a user when the user attempts to access the network, and the network accessing may be selectively blocked [259-260, Fig. 13b; p.14, lines 12 – 18; p.22, lines 15 – 25], i.e., verifying whether the user is eligible to access the network service...” Applicant first submits that Brotherston refers only to the verification of a user’s credit card used for payment for services which are requested through the network. The passages in Brotherston cited by the Examiner disclose this verification step as taking place within the network; the user’s access to the network to make these requests is not restricted. Reference numbers 259 and 260 of Fig. 13-b correspond to the text at p.14, lines 12 – 18, which discusses the logic of the *handheld devices* to verify the user’s credit card payment for services requested through the network; the text at p.22, lines 15 – 25 refers to the credit card verification step taken at

the *gate kiosks*, and the subsequent access to the network provided to the user from that location. Rejection of the user's credit card and subsequent withholding of products or services *does not disconnect the user from the network*, or otherwise restrict the user's access to the network. By comparison, amended claim 1 recites: "[a] network architecture for selectively blocking access to a pay per use wide area network comprising... at least one network protocol sniffer module in communication with the server, wherein the network protocol sniffer pings the network device to determine a presence of the network device and communicates the presence to the server *such that access to the wide area network by the network device may be selectively blocked.*" Claims 12 and 19 recite similar features. It is therefore respectfully submitted that the combination of Brotherston with Arazi does not render these claims obvious. Further, claims 2 – 11, 13 – 18, and 20 depend from claims 1, 12, and 19, respectively. Applicants thus believe these claims are also in condition for allowance, for the reasons cited above. Reconsideration and withdrawal of the present rejection is respectfully requested.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the

Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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